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Remarks

Claims 11-19 and 21-23 are under consideration. The indication that claim 12 defines allowable subject matter is noted with appreciation.

Claims 12 and 21 are amended as recommended by the Examiner to delete the stated use from the claim language. The outstanding rejection under 35 U.S.C. 112, second paragraph, is believed to be obviated thereby.

The same amendments to claims 12 and 21 are also believed to obviate the outstanding rejections under 35 U.S.C. 112, first paragraph, inasmuch as compound claims 11 and 13-15 as well as method of manufacture claims 16-19 all depend on allowable claim 12. Likewise, claims 22 and 23 depend on allowable claim 21.

The Examiner's comment on page 5 of the Office Action regarding the breadth of claim 21 by reason of the claim language "exhibiting affinity for both the strychnine-insensitive binding site on N-methyl-D-aspartate receptor and voltage dependent sodium channels" is not warranted. This particular language in claim 21 merely indicates which type of the compounds defined by claim 12 are to be utilized for treating neuroexcitability disorders. Claims 22 and 23 define a method of treatment utilizing specific such compounds.

The present amendments to the claims and the accompanying discussion are believed to place this application in condition for allowance. Early passing of this application to issue is solicited.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this AMENDMENT AND RESPONSE UNDER RULE 111 is being transmitted by facsimile transmission to Fax No. 703-872-9306 on December 7, 2004.


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